

### **REMARKS**

Upon entry of this amendment, claims 1, 2, 5-7 and 9-21 are all the claims pending in the application. Claims 3, 4 and 8 have been canceled, and claims 17-21 have been added as new claims. No new matter has been added.

Applicants note that a number of editorial amendments have been made to the specification for grammatical and general readability purposes. No new matter has been added.

#### **I. Objection to the Claims**

Claims 1-16 have been objected to for the reasons set forth on page 2 of the Office Action. In view of the Examiner's comments, Applicants note that the independent claims have amended so as to address the Examiner's objection.

For example, in claim 1, Applicants note that the feature drawn to the "sending unit" has been modified so as to recite that the sending unit is operable to send to the reader/write "the identifier that identifies the contactless card". Applicants note that similar changes have been made to independent claims 13-16. In view of the foregoing, Applicants respectfully request that the objection to the claims be reconsidered and withdrawn.

#### **II. Claim Rejections under 35 U.S.C. § 102**

Claims 1-9 and 13-16 have been rejected under 35 U.S.C. § 102(b) as being anticipated by International Standard ISO/IEC 14443-3 (Identification cards - Contactless integrated circuit(s) cards - Proximity cards (XP-001146902)), hereafter "ISO/IEC 14443-3".

Claim 1, as amended, recites the features of a mode judgment unit operable to judge an

operation mode in which the contactless card operates by judging whether or not a voltage at a predetermined point in the contactless card is a predetermined voltage; wherein the judged operation mode in which the contactless card operates determines which one of (i) the identifier generated by the random identifier generation unit and (ii) the identifier generated by the specific identifier generation unit, is to be used as the identifier that identifies the contactless card.

Applicants respectfully submit that ISO/IEC 14443-3 does not disclose or suggest at least the above-noted features recited in amended claim 1.

In particular, regarding ISO/IEC 14443-3, Applicants note that this document discloses two types of request commands, namely, Request Command Type A (REQA) and Request Command Type B (REQB), with the answers to these request commands being identified as Answer to Request Type A (ATQA) and Answer to Request Type B (ATQB) (see sections 6.4.2 and 7.9.2). In this regard, as explained in ISO/IEC 14443-3, the ATQA includes a Unique Identifier (UID), and the ATQB includes a Pseudo-Unique PICC Identifier (PUPI) to differentiate proximity cards during anticollision (see sections 6.4.2 and 7.9.2).

Based on the foregoing description, Applicants note that while ISO/IEC 14443-3 discloses the use of the above-noted Answers (ATQA and ATQB) and corresponding identifiers (i.e., UID and PUPI), that ISO/IEC 1443-3 does not disclose or suggest that an operation mode of a proximity card is judged based on a voltage at a predetermined point in the proximity card.

As such, Applicants respectfully submit that ISO/IEC 14443-3 does not disclose, suggest or otherwise render obvious the above-noted features recited in amended claim 1 of a mode judgment unit operable to judge an operation mode in which the contactless card operates by

judging whether or not a voltage at a predetermined point in the contactless card is a predetermined voltage; wherein the judged operation mode in which the contactless card operates determines which one of (i) the identifier generated by the random identifier generation unit and (ii) the identifier generated by the specific identifier generation unit, is to be used as the identifier that identifies the contactless card.

Accordingly, Applicants respectfully submit that amended claim 1 is patentable over ISO/IEC 14443-3, an indication of which is kindly requested.

Regarding claims 2, 5-7 and 9, Applicants note that these claims depend from claim 1 and are therefore considered patentable at least by virtue of their dependency.

Regarding claims 13, 15 and 16, Applicants note that these claims have been amended so as to recite the features of judging an operation mode in which the contactless card operates by judging whether or not a voltage at a predetermined point in the contactless card is a predetermined voltage; determining, based on said judging, whether the identifier that identifies the contactless card is to be a random identifier or a specific identifier; and generating, based on said determining, the random identifier or the specific identifier, the generated identifier to be used as the identifier that identifies the contactless card.

For at least similar reasons as discussed above with respect to claim 1, Applicants respectfully submit that ISO/IEC 14443-3 does not disclose, suggest or otherwise render obvious the above-noted features recited in amended claims 13, 15 and 16. Accordingly, Applicants submit that claims 13, 15 and 16 are patentable over ISO/IEC 14443-3, an indication of which is kindly requested.

Regarding claim 14, Applicants note that this claim has been amended to recite the features of a mode judgment unit operable to judge an operation mode in which the contactless card operates by judging whether or not a voltage at a predetermined point in the contactless card is a predetermined voltage; wherein the judged operation mode in which the contactless card operates determines which one of (i) the identifier generated by the random identifier generation unit and (ii) the identifier generated by the specific identifier generation unit, is to be used as the identifier that identifies the contactless card.

For at least similar reasons as discussed above with respect to claim 1, Applicants respectfully submit that ISO/IEC 14443-3 does not disclose, suggest or otherwise render obvious the above-noted features recited in amended claim 14. Accordingly, Applicants submit that claim 14 is patentable over ISO/IEC 14443-3, an indication of which is kindly requested.

### **III. Claim Rejections under 35 U.S.C. § 103(a)**

A. Claim 10 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over 14443-3 in view of Nakabe et al. (US 2003/0094491).

Claim 10 depends from claim 1. Applicants submit that Nakabe et al. (US 2003/0094491) fails to cure the deficiencies of 14443-3, as discussed above, with respect to claim 1. Accordingly, Applicants submit that claim 10 is patentable at least by virtue of its dependency.

Further, regarding claim 10, Applicants note that this claim recites that the specific identifier generation unit is operable to generate the identifier based on information stored in a

read only memory, wherein the information stored in the read only memory is not rewritable. Regarding the above-noted feature, Applicants note that the Examiner has taken the position in the Office Action that Nakabe discloses such a feature at paragraph [0062] (see Office Action at page 7). Applicants respectfully disagree.

In particular, Applicants note that paragraph [0062] of Nakabe discloses that a response judgment unit 102, a response slot changing unit 103 and a use deciding unit 104 can be stored in a ROM 204 as a program, and if necessary, read out and executed by CPU 201. In this regard, Applicants respectfully submit that the mere ability disclosed in Nakabe of storing such units in a ROM as a program, and reading out and executing such a program, does not in any way correspond to the ability of a specific identifier generation unit to generate an identifier based on information stored in a read only memory.

As such, Applicants respectfully submit that the Nakabe does not disclose, suggest or otherwise render obvious the above-noted feature recited in claim 10 of a specific identifier generation unit being operable to generate the identifier based on information stored in a read only memory, wherein the information stored in the read only memory is not rewritable. Accordingly, Applicants submit that claim 10 is patentable over the cited prior art, an indication of which is kindly requested.

B. Claims 11 and 12 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over 14443-3 in view of Guenther (US 6,111,951).

Claims 11 and 12 depend from claim 1. Applicants submit that Guenther (US 6,111,951) fails to cure the deficiencies of 14443-3, as discussed above, with respect to claim 1. Accordingly, Applicants submit that claims 11 and 12 are patentable at least by virtue of their dependency.

#### **IV. New Claims**

Claims 17-21 have been added as new claims. Claims 17-20 depend from claim 1, and claim 21 depends from claim 13. Accordingly, Applicants submit that these claims are patentable at least by virtue of their dependency.

#### **V. Conclusion**

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited.

If any points remain in issue which the Examiner feels may best be resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,

Futoshi NAKABE et al.

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